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Telephone: (425) 836-3030
Facsimile: (425) 836-8957Date: July 27, 2004
Time: 2:30 am

Number of pages (including this sheet): 18

To: United States Patent and Trademark Office Attention: Examiner NGUYEN, D.

Facsimile Number: 703-872-9306
From: Albert S. Michalik

RE: Serial No. 09/354,970, Attorney Docket No. 1610

In re Application of:
DOUCEUR et al.

Group Art Unit: 2154

Serial No.: 09/354,970

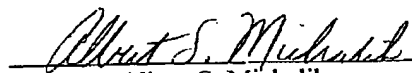
Examiner: NGUYEN, D.

Filed: July 16, 1999

For: Method and System for Regulating Background
Tasks Using Performance MeasurementsCERTIFICATE OF TRANSMISSION

I hereby certify that this Amendment and Amendment Transmittal are being transmitted by facsimile to the United States Patent and Trademark Office in accordance with 37 C.F.R. 1.6(d) on the date shown below:

Date: July 27, 2004


Albert S. Michalik

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PATENT
Attorney Docket No. 1610

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

DOUCEUR et al.

Group Art Unit: 2154

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For: Method and System for Regulating Background
Tasks Using Performance Measurements

AMENDMENT TRANSMITTAL

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith are the following papers in the above-identified application:

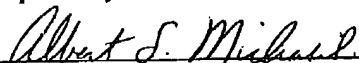
1. Amendment w/ Certificate of Transmission (15 pgs)

The fee for additional claims has been calculated as follows:

| Claims Remaining After Amendment | | Highest Number Previously Paid For | | Present Extra | Rate | Additional Fee |
|---|-------|---|--------|------------------|------|-------------------|
| 45 | Minus | 44 | Equals | 1 | \$18 | \$18 |
| 5 | Minus | 3 | Equals | 2 | \$86 | \$172 |
| Total Additional Fee | | | | | | \$190 |

- ☒ Please charge the Deposit Account No. 50-1618 the total amount of \$190.00. A duplicate of this Transmittal is attached for fee processing purposes.
- ☒ If any additional fee is required in connection with this response, please charge Deposit Account No. 50-1618.
- ☒ If any overpayment has been made in connection with this response, please credit Deposit Account No. 50-1618.

Respectfully submitted,


Albert S. Michalik, Reg. No. 37,395
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PATENT
Attorney Docket No. 1610

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: DOUCEUR et al.
APPLICATION NO.: 09/354,970
FILED: July 16, 1999
FOR: METHOD AND SYSTEM FOR
REGULATING BACKGROUND TASKS USING
PERFORMANCE MEASUREMENTS

EXAMINER: D. Nguyen
ART UNIT: 2154
CONF. NO: 5820

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Amendment

Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

This communication is a response to the Office action dated June 25, 2004 (hereinafter "the Office action"). Please consider the following amendments and appended remarks, which applicants submit places the case in condition for allowance.